VOL. 5.

DES. BOLING & BIGHAM, HYSICIANS & SURGEONS, MILLERSBURG, O.,

DR.EBRIGHT, HYSICIAN & SURGEON

MILLERSBURG, O. Residence on Clay Street, opposite the resbyterian Church.

J. P. ALBAN, DENTIST MILLERSBURG, O. A rificial teeth in-Satisfaction warran-Office a few doors west of Weston's Saloon Nov. 28, 1860,-54.

BENJAMIN COHN.

READY - MADE CLORUING Of Every Description, OF JACKSON & WASHIGTONSTS. MILLERSBURG, O.

PLAIN & FANCY OB PRINTING

OF ALL LINDS, NEATLY EXECUTED AT THIS OFFICE. CASKEY & INGLES,

DEALERS IN BOOKS & STATIONERY. Millersburg, Ohio. TO THE PUBLIC.

WAITS, having purchased Worley and Judson's improved Seeing Machine, is still on a wait on the public in his line in the way of a Tam also agent for said Machine, and can recom-mendit as the best new in use, for all purposes. CALL AND SEE IT OPERATE.

HERZER & SPEIGLE, E. STEINBACHER & CO., Produce & Commission MERCHANTS,

low, Grain, Mill Stuff, Salt Fish, White and Water Lime, PURCHASERS OF L. Rye, Corn, Oats, Seeds, Dried Fruits, Butter, Eggs, Wool, &c. May \$1,1851-0 MILLERSBURG, O.

BAKER & WHOLF, Forwardingand Commission MERCHANTS, AND DEALERS IN

SALT FISH, PLASTER, WHITE AND WATER LIME. PURCHASERS OF

FLOUR, WHEAT, RYE, CORN, OATS CLOVER AND TIMOTHY SEED, Butter, Eggs, Lard, Tallow and all kinds

of Dried Fruits. WAREHOUSE, MILLERSBURG, O. Sept. 18, 1856-41f.

Millinery Establishment! M RS. ELLEN MARTIN, who for-mosly worked with Miss S1 rowl (Mrs. J. H. Newton,) is engaged in Bonnet Laking & Bonnet Trimming.



She has on hand a fine lot of the Spring Styles of SILKS, CRAPES, BRAIDS, &c., which will be sold to constoners at very low prices. All kinds of work will be done in the

Millersburg, O., March 21, 1861.—31

Fashionable Tailoring S. LOWTHER is carrying on the A. tailoring business in all its various branches in Rooms over MULVANE'S STORE.

His experience and taste enables him to ren-der general satisfaction to those for whom he does work, and he hopes by industry and close application to business to receive a liberal share

ALL WORK IS WARRANTED. His prices are as low as it is possible for man to live at. Millersburg, 1860—n41tf.

LUMBER! LUMBER! LUMBER!

Patronize your own Yards. New Lumber Yard just opened in Millersburg, NEAR THE RAILROAD LANDING.

WHERE YOU CAN ALWAYS GET at Cleveland prices, (reight to this alace added,) all PINE AND POPLAR LUMBER.

Shingles and Plastering Laths, MATCHED FLOORING & SIDING.

Sash and Doors. Embracing all the varieties usually found in Lumber Yards elsewhere. We ask the public patronage, promis-ing that they shall be fairly dealt with. Our present assortment is very good, butwe expect to made additions to it from day to day, as the wants of the country are understood.

GIVE US A CALL March 29, 1860.

NEW BOOT & SHOE SHOP Oformerly occupied as Post Office, where the usigned is prepared to deall kinds of work in his literal life.

Fine City Sewed Work. n such a manuar as not to be excelled west of the Alle-

REPAIRING done neat and on short N. B. I have on hand, as agent, a lot of home made and eastern Boots and Shoes which for ready pay I will sall on such terms that you cannot fail to buy. Please try me once, and tall soen. E. H. HULL. July 26, 1860—491

FOR SALE. BUGGY AND BUFFALO WAGON, For sale very cheap.

MILLERSBURG, HOLMES COUNTY, OHIO, THURSDAY, JUNE 6, 1861.

panied by his brother, W. J. A. Fuller, a clinched him from behind, and after a prominent New York lawyer, spent the day in looking about Alexandria, having no ly a prisonea. purpose except a cur osity to see what Virginia troops looked like. They regis-tered their real names and residence, and, of course, were marked mea from that moment. After a thorough exploration of the city, they dined at the hotel, with about fifty officers of the Secession army, and the elder brother took the last stage for Washington, which he reached that night without any striking adventure.— The younger brother declared his determination to bring home the only Secession flag that was flying in the place, if he sacrificed his life in the attempt. He said he "could not stand it" to see the rebel bunting flaunting defiantly in full sight of the Capitol, and have it he would, at any hazard. No persuasion could make him forego the rash attempt. He took a room at the hotel—the Marshal House—where the proprietor kept the flag flying, swearing he was "a bloody old Secessionist, and Lin-coln could not make him haul it down." He expressed a strong desire to see any "d-d Yankee" attack the flag. Mr. F. by a little adroit management, had a room assigned him in the main building, from the roof of which the flag-staff ran up through an open scuttle. After ten he through an open scuttle. After tea he groped his way toward the roof, and found the upper doors locked. He then climbed the nearest window, eight or ten feet above the stairway, and found it nailed a regiment of them could accomplish, by hauling down his flag. Mr. F. tried to bribe him, and to buy the flag, but was told that it could not be bought for \$10, ed the nearest window. eight or ten feet above the stairway, and found it nailed down. 'He bought a hammer at a hard-ware store, went back and drew the nails. Being a perfect gymnast, and active as a cat, he expected to climb to the roof by the spout, but this proved rotten as paper,

and compelled him to abandon the attempt.

a locksmith, whom he told that he wanted

a bunch of keys to open a closet. The

leave five dollars deposit for their return.

Armed with ten keys, he returned to the

under a mattrass, and waited with breath

less anxiety until they passed into the next

in a lively game of "poker," at five cents

"ante." He then went back, unlocked the

door, felt his way in the dark to the flag-

staff, tried the signal balyards, found that

everything worked beautiful, and that he

was sure, at least, of hauling down the fing. He mounted to the roof, and took

a general survey of the premises. This

was about eight o'clock in the evening .-

The streets were full of citizens and troop-

ers, and the full moon shone bright as day

He was again alarmed by a party of sol-diers mounting the stairs, and feared that the slight lowering and raising of the flag made when he was trying the halyards,

bad been observed from the streets. He stood behind the door, determined to jump

by the first comers and over the heads of

those coming after, and make a run for the

dock, some four or five blocks off, jump in

and swim to the Pawhee. The Massa

chusetts boys of the 5th regiment, who

knew him well, say that "a man must be swift on foot to catch Charlie." Happily

then went toward the river to alter the

moorings of a small vessel, so that her

change of position might signify to his

brother, who had concerted to cover his

swim toward the Pawnee, that the boat

could approach within hail. He was turn-

ed back by sentinels at every street ap-proaching the river. The whole shore was

to the hotel, haul down the flag and trust to the chapter of accidents. After a care-

ful reconnoisance, at about 10 o'clock,

when everybody's attention was engaged by the passing of three cavalry companies, he hauled down the flag, cut the halyards, and made them fast to the cleet that they

might not be observed swinging loosely.— To his horror be discovered that he had

caught an elephant. The flag was over 30 feet long, and about 15 feet wide. He

took off his coat, vest and pants, and com-

menced winding the flag about his body.

To use Lis own expression, he thought he never should get it all coiled away. He

succeeded, however, by making a sort of Daniel Lambert of himself, in tying up his pants and coat, so as to effectually hide

the piratical emblem. He marched down

stairs, got out of the house, without exci-ting suspicion and started on his travels.— Critical as was his position, with the river

bank lined with sentries, and the picket

guards extended to Long Bridge, where he knew the draw was raised, it soon became

perilous in the extreme, by a general alarm which was given in consequence of the fact that the flag was missed. He saw patrol-men rushing in every direction, so he con-cluded to conceal himself in an old shed,

until the moon should be obscure by pass

ing clouds, when he determined to push for the back country, make a circuit above

the town, and swim across to Ellsworth's

guarded. He then determined to go back

the troops went into another room.

He next searched about the city and found

it.' After a night of anxious unrest, Mr. F. came down to breakfast, and found that everybody was observing him and pointing him out as the "d-d Yankee' who had hauled down the flag. He sauntered through the city, made small purchases of tobacco, &c., in the deserted stores, and went to a secession meeting at night .man offered to go with him and fit the lock, but Mr. F. "did not see it" in that One of the speakers alluded very feelingly to the imperishable glory which covered light. He said be would not trouble him the Stars and Stripes, and related with thrilling pathos how his father, a veteran to go, but would take a bunch of keys, and of eighty years, still clung to them. At hotel, watched like a cat for his opportunity, and when the coast was clear ascended to the upper story, and tried his keys. Six of them were tried unsuccessfully, and the seventh had turned the lock, when he was nearly surprised by a party of soldiers who came up the stairs. He reshed into an experiment of the seventh land turned the lock, when he was nearly surprised by a party of soldiers who came up the stairs. He reshed into an experiment of the second to them. At this point, when Mr. Fuller's patriotic feel ing had overcome his prudence, he clapped his hands loudly in applause, when the whole meeting electrified by the speaker, applauded to the echo. But the excitability of Mr. F. caused the crowd to glowof dark closet adjoining, secretad himself ed everything which followed and it was the rankest sort of secession lying and ferocity. The audience were told that the troops were all Northern barbarians, who oom, where they soon became absorbed only wanted beauty and booty. "Yes," exclaimed the orator, almost drunk with passion, "they only want to ravish our wives and daughters and steal our property; "and much more bosh of the same kind. Toward night Mr. Fuller's brother thoroughly alarmed for his safety, took a

to not anew the atrocities of the "Skinners'

oner, and was lost in such admiration of

his daring exploit, and of the sublime con-

fidence expressed by him in the power of his friends in Washington, especially of

his brother, to release him, that he was

treated with "distinguished consideration"

and permitted to go to his room on his

he "was a d-d sight too smart for a mis-

grable Yankee," for he had done more than

carriage, tode down to Alexandria, and succeeded in laying plans that resulted in his release the next day. As the safety of other parties (Union men) would be involved, I cannot reveal the nature of these negotiations, other than to hint that the guns of the Pawnee and the movements of troops contributed largely to the result. Arrangements had been thoroughly made to assault and burn the city, had the Fullers been detained after to day. Several companies of the Massachusetts 5th took a solemn vow that they would take the city, "orders or no orders," and Ellsworth's "boys" were "in the ring." But the orders would have been given. Last night Mr. F., sure of cooperation by water, again tried to take the flag; but it was guarded by two soldiers, sleeping in the attic, and watched incessantly by sentinels outside. So he contented himself with taking the flag which hung up in the hall, which he wound round his person, and which he succeeded in bringing here with him. It was exhibited at the quarters of the Massachusetts troops in the treasury building tonight, where it was received with immense cheering; and the detachment which went down to aid Mr. F. last night regretted sincerely that they had not a hand in its

What the Editor of the Louisville Democrat Thinks.

The Louisville Democrat of Sunday, says: We do not believe there is to be much fighting. The Federal armies, so much more powe; ful in men and resources, can seize point after point, and gradually enclose the whole Southern States in military lines. It is useless to attempt to keep up the idea that the Federal navy cannot blockade the Southern seaconst. We have thought it impracticable, but the swiftness of action on the part of the government in securing vessels and the very small number of actual ports notwithstanding the immense extent of the const, have convinced us that we were mistaken. Then the land ports, and ports on the Mississippi, are all in the easy command of the government. They will be under no actual necessity for a bloody invasion. The South can no more be overcome by invasion than Russia by the seizure of Moscow, but when the ports of entry are all seized, her chief cities occupied, her commerce totally killed, we may expect that though a government may continue to claim allegiance for a time, it will eventually fall to pieces for the best of reasons: it has fail-Zouave camp. whose fires he could plainly ed to carry out the design for which it was see. He saw his brother's boat (with a adopted. The United States officers, not detachment of twelve men from the Mas-sachusetts Fifth,) lying off in the middle of the river, but dared not hail her, for suddenly, but by degrees, will begin to as-sume their functions here and there in the South, and the States to act in harmony fear of causing his certain arrest. He in such manner that no one will be able to managed to push from picket so picket, by tell exactly when the Union was entirely wary advances, at one time lying flat on reconstructed.

the assent of his wife: Provided, all articles of firaiture and household goods belonging or the executor or administrator of any such surety, at any time to make complaint to the proper probate court to be released from the bond with such executor or administrator, by filing his request therefor with the judge of said court, and giving at least five days notice, in writing, to such executor or administrator, when such court is of opinion there is good reason therefor, shall release such surety, and if such executor the wife shall be also liable to be taken for any judgment rendered therein. but a third soldier a more powerful man, clinched him from behind, and after a is of opinion there is good reason therefor, shall release such surely, and if such executor or admistrator fail to give new bonds, as by such court directed, he shall be removed and He retained his presence of mind, and by ready wit and fertility of invention saved himselt from personal violence; and ultihis letters superseded, but such original surety shall not be released until such executor or admately by his own stratagem and the diplomacy of his brother, he slipped his neck out of the halter. He was carried back executor or administrator from the time of the execution of the original bond to the filing of to the hotel, his captor proving to be its proprietor, and the captain of a large or-ganized guerilla band of horsemen, ready the second bond: Provided, that the cost of such release shall be paid by the surety applying to be released, unless it shall appear to the court that the administrator or execu and "Cow Boys" of the Revolution, when

hostilities commence along the borders.— He was a good natured man, and was so Sec. 2. An act entitled an act to relieve the sureties of executors or administrators" pass ed April 6, 1859, be and the same is hereby re pleased with the genial manner of his pris-Sec. 4. This act shall take effect and be in force from and after its passage. ED. A. PARROTT,

Speaker pro tem. House of Represen ROBERT C. KIRK, President of the Senate. Passed March 22, 1861.

parole not to escape. Every seductive art was tried to induce him to become a Se-ANACT cessionist, byt Mr. Fuller said he "would rather swing for it than prove false to the Old Gridiron." His captor told him that To amend section ninety-one of the act to provide for the organization of cities and incorporated villages, passed May 3,

> SECTION 1. Be it enacted by the Gensection (91) ninety-one of the State of Ohio, That section (91) ninety-one of the act to provide for the organization of cities and incorporated villages, passed May 3, 1852, be amended to

000-that "old Lincoln had threatened to SETTION 91. That for the purpose of crea-ting a sinking fund for the gradual extinguish-ment of the bonds and funded debt of any pull it down, and he wanted to see him do municipal corporation, the council thereof shall annually (until payment of the bonds and lunded debt be fully provided for) levy and collect, in addition to the other taxes of said corporation, a tax of not less than one mill, and not exceeding three mills, upon said property appraised and returned as aforesaid, which shall be paid into said treasury, and be applied by order of the city council towards the extinguishment of said bonds and funded debt, and to no othe

purpose whatever. Sec. 2. That said above recited section Sec. 2. That said nove recited section and the same is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its passage.

ED. A. PARROTT.

Speaker pro tem, of House of Representatives ROBERT C. KIRK, President of the Senate

AN ACT.

taxation.

appiementary to the act "for the assessment and taxation of all property in the State, and for levying taxes thereon accerding to its true value in money," passed April 5, 1859, and amend section 6 of said act.

SECTION 1. Be it enacted by the Gen eral Assembly of the State of Ohio, That if any person whose duty it shall be to nake a return or list of property for taxation under the provisions of the act "for the assessment and taxation of all property in this state, and for having taxas therefore the intervent and taxas the state of levying taxes thereon according to its true val-ue in money," passed April 5, 1859, shall make a false return, it shall be the duty of the coun-ty auditor to ascertain the true amount of the ty auditor to ascertain the true amount of the taxable property, moneys, credits and effects that such person ought to have returned or listed, in the manner prescribed in the thirty-fourth section of said act, and to add thereto lifty percentum on the amount so ascertained; and the amount so ascertained with the said fifty percentum shall be entered on the duplicate for textiles.

Sec. 2. When any person summoned to ap-Sec. 2. When any person summoned to appear before the county auditor and give testimony, under the provisions of the thirty-fourth section of said act, shall neglect or refuse to appear, or shall neglect or refuse to answer any question that may be put to him by the auditor touching the matter under examination, the auditor shall apply to the probate judge of the county to issue a subpecta for the appearance of such person before him; and on the application of the county auditor it shall be the duty of the probate judge to issue a subpecta for the of the probate judge to issue a subpœna for the appearance of such person forthwith before him to give testimony; and if any person so summoned shall fail to appear, or appearing shall shall refuse to testify, he shall be subject to like proceedings and penalties for contempt as witnesses in actions pending in the probate

S c. 3. That section six of said act b amended as to read as follows: Sec. 6. Each person required by this act to list property, shall make out and deliver to the assessor, when required, or within ten days thereafter, a statement, verified by his oath or affirmation. of all ment, verified by his oath or athrmation. of all the personal property, moneys, credits, investments in bonds, stocks, joint stock companies, or otherwise in his possession or under the control of such person on the day next preceding the second Monday of April, in the year in which such assessment shall be made, and which by the provisions of this act he is required to be the travation, either as owner or holder therelist for taxation, either as owner or holder thereof, or as guardian, parent husband, trustee, executor, administrator, receiver, accounting officer, partner, agent or factor.
Sec. 4. Said original section six is hereby
repealed, and this act shall take effect on its

ED. A. PARROTT,

Speaker pro tem. of House of Representative RÖBERT C. KIRK. President of the Senate. Passed March 29, 1861.

No. 45.] ANACT Concerning the rights and liabilities of married women.

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, as follows: Section 1. Any estate or interest, lefollows: Section 1. Any estate or interest, legal or equitable, in real property belonging to any woman at her marriage, or which may have come to her during coverture by conveyance, gift, devise or inheritance, or by purchase with her separate money or means, shall, together with all the rents and issues thereof, be and remain her separate property, and under her sole control; and she may, in her own name, during coverture, lease the same for any period not exceeding three years. This act shall not affect the estate by the curtesy of any husband in the real property of his wife after decease; but during the life of such wife, or of any heir of her body, such estate shall not be taken by any process of law for the payment of his debts, or be conveyed or encumbered by him, unless she shall join therein with him in the manner prescribed by law in regard to her own estate.

Sec. 2. Any personal property, including rights in action, belonging to any woman at her marriage, or which may have come to her during the life of such wife, or of any heir of her body, such estate shall not be taken by any process of law for the payment of his debts, or be conveyed or encumbered by him, unless she shall join therein with him in the manner prescribed by law in regard to her own estate.

Sec. 2. Any personal property, including rights in action, belonging to any woman at her marriage, or which may have come to her during the life of such wife, or of any heir of he deceased person, or a definite or of a decfand didut, or of a lunatic, or of a deaf and dumb person, or is the executor or administrator of a deceased person, or a during the executor or administrator of a deceased person, or a during the executor or administrator of a deceased person, or a duministrator of a deceased person, or a duministrator of a deceased person, or a duministrator of a deceased person, or administrator of a deceased person, or administrator of a deceased person, or administrator of a deceased person, except in the following cases, namely:

1. In a

Thrilling Adventure—How a Bold Yankee Captured a Section Fing.

A Washington correspondent of the New York Tribune gives this graphic account of a daring Yankee's exploit:

Washington, May 23, 1861.

I have already apprised you by telegraph of the leading features of the bold and dangerous achievements of a Boston banker, which resulted in the taking of a Confederate" flag. The details will be a Confederate found highly interesting and exciting.—

The other sentry dropped his gun and fled; Tribate court to be released from the bond with first to fany such surely.

Washington correspondent of the Suburbs, when the moon shone out brightly, and he found himself suddens of exceutors and a rush to pass them, when both of them seized him. He grasped one by the breast and threw him to the ground, with such rollence that he wrenched off one of the Virginia army buttons, which he now wears on his watch-guard as a trophy.—

The other sentry dropped his gun and fled; Tribate court to be released from the bond with first and the released from the bond with first and by reason of the riministrator of any such surely; at the entries in the same were made by himself or by a desenter one por meners of the both of the authors of the ground of any violation of the personal rights, shall, tegether with all income, in the case and profits thereof, be and remain her separate money or means, or by purchase wither separate money or means, or by purchase wither separate money or means, or by purchase of her separate money or means, or by purchase wither separate money or me

the wife shall be also hame to be judgment rendered therein.
Sec. 4. Any married woman whose husband shall desert her, or from intemperance or band shall desert her, or from intemperance or other cause become incapaciated or neglect to provide for his family, may, in her own name, make contracts for her own labor and the labor of her minor children, and in her own name sue for and collect her own or their carnings.

to married women such personal property as may be exempt from execution, and also enabling them to control their own earnings, and the earnings of their minor children in certain cases." passed April 7, [17] 1857, are hereby repealed.

ED. A. PARROTT, Speaker pro tem. House of Represent ROBERT C. KIRK, President of the Sennte

Passed April 3, 1861.

To amend an act entitled an act to authorize the erection of town halls, passed Feb. 21, 1848.

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That the second section of an act entitled an act to authorize the erection of town halls, passed February 24, 1848, be so amended as to read as follows:

lows:

Sec. 2. That every voter who is in favor of levying a tax on all the property of the township or incorporated town, for the erection of such hall, shall indorse on his ballot "town hall," and if a majority of all the legal voters at such election vote "town hall," then the trustices of such township, or council of such incorporated town, shall, on or before the first its banking business. corporated town, shall, on or before the first day of June thereafter, inform the auditor of the proper country of the vote of the electors in such township or incorporated town, as ex-pressed at said election, and the county audi-tor shall levy a tax on all the property of such township or incorporated town standing on the list for the purposes aforesaid, and to enable the trustees of such township or incorporated town to purchase a lot, if accessary, upon which to to purchase a lot, if necessary, upon which to erect said hall. And it shall be lawful for the erect said hall. And it shall be lawful for the trustees of any township, or town council of any incorporated town, in which a town hall shall have been erected, at any time to levy and collect a tax upon all the property of said township or incorporated town subject to taxation, for the purpose of painting, repairing or discharging any existing debt incurred in the erection or purchase of such hall. Provided, the amount of taxes, under the provisions of this act, shall in no case exceed two mills on the dellar of the taxable property of any townthe dollar of the taxable property of any town-ship or incorporated town; and the tax so lev-ied shall be collected by the county treasurer in the same manner and at the same time that state and county taxes are collected, and by ip, or to the town council of any incor

orated town raising the same.

Sec. 2. That original section 2, of the act of which this act is amendatory be, and the same s hereby repealed Sec. 3. This act shall take effect from and after

ED. A. PARROTT, Pro tem. House of Representate ROBERT C. KIRK,

Passed April 3, 1861. AN ACT.

Further defining the duties of boards of education for incorporated cities, towns villages, and independent school dis

tricts. Section 1. Be it enacted by the Gen

Section 1. De la character of Ohio, That eral assembly of the State of Ohio, That the board of education for any incorporated city, town, village or independent school dis-trict shall prepare or cause to be prepared and forwarded to the county auditor on or before the first day of October, a statement exhibiting a rue account of all the receipts and disbu ments for school purposes, and such other sta-tistics and information as the state commis sioner of schools may require. ED. A. PARROTT.

Speaker pro tem. of House of Representative ROBERT C. KIRK. President of the Senate Passed April 4. 1861.

AN ACT

To amend sections 323 and 344 of the code of civil procedure. SECTION 1. Be it enacted by the Gen-

eral Assembly of the State of Ohio, That section three hundred and thirteen of the code of civil procedure be so amended as to read as of civil procedure be so amended as to read as follows, to wit: Sec. 313. No party to a civil action shall be allowed to testify by virtue of section three hundred and ten, in any action when the adverse party is the guardian of a child or children of a deceased person, or of an idiot, or of a lunatic, or of a deaf and dumb

site party may testiy as to all matters and things contained in said deposition and not excluded for irrevalency or inadmissibility.

In all actions by or against a surviving partner or partners, or a surviving joint contractor or contrators, no adverse party to the suit shall be a contractor.

pear the state Bank of Ohio and other banking are contractors, no adverse party to the suit shall be a competent witness to testify to transactions which took place with, or declarations or admissions made by the deceased partner or joint contractor in the absence of his surviving partner or joint contractor.

That the three hundred and for
That the three hundred and for
Sec. 9. Sections 60, 61, 62, 63, 64 65, 66, 67

other cause become incapaciated or neglect to provide for his family, may, in her own name, make contracts for her own labor and the labor of her minor children, and in her own name sue for and collect her own or their caraings. Any married woman in such case of desertion, incapacity or neglect, may file her petition in the court of common pleas of the county in which she resides, alleging the same, and making her husband defendant thereto; which proceeding shall be subject to all rules applicable to other civil actions; and upon proof, by testimony, of such desertion, incapacity, or neglect, the court may, in its discretion, make an order having the bore and effect of a judgment, vesting such woman with the rights, privileges and linbilities of a feme sole, as to acquiring, possessing and disposing of property, real and personal, making contracts and being liable thereon, and suing and being sued in her own name. Provided, after such judgment the husband shall not be liable upon any contract so made by her in her own name, or for any tort thereafter committed by her.

Sec. 2. That the three hundred and forty-fourth section of said code of civil procedure be so amended as to read as follows, viz: Sec. 344. Before taking any deposition, unless the same is taken under a special commission, viii, ten notice thereof shall be given to the adverse party, specifying the action or proceeding, the name of the court or tribunal in which it is to be used, and the its the notice thereof shall be given to the adverse party, specifying the action or proceeding. The name of the court or tribunal in which it is to be used, and the court or tribunal in which it is to be used, and the court or tribunal in which it is to be used, and the court or tribunal in which it is to be used, and the court or tribunal in which it is to be used, and the court or tribunal in which it is to be used, and the court or tribunal in which it is to be used, and the court or tribunal in which it is to be used, and the court or tribunal in which it is

force from and after its passage, and shall apply to all suits now pending, as well as soits here-after commenced, and said sections 313 and 344 of the code of civil procedure are hereby repealed ED. A. PARROTT.

Speaker pro tem. of House of Representative ROBERT C. KIRK Passed April, 3 1861.

No. 49.] AN ACT.

To amend an act entitled "an act for the assessment and taxation and assessment of property in this state for levying taxes thereon according to its true value in money," passed April 5, 1859.

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That every bank shall annually, between she first and second Monday in May, make out, and, on demand of the assessor, deliver to him a cor-rect statement, attested by the oaths of the presi-ident and cashier of such bank, or if there be

Second—The amount of undivided profits arising from such business as belong to the bank, whether in its possession or subject to its control, or loaned, or otherwise invested for

Third-The a pount loaned to or deposited with such bank, for a term certain, or which, by agreement or understanding between the parties, is not to be withdrawn on demand, excepting amounts which may have been deposited with any bank established as a clearinghous for the redemption of the notes of banks making such deposits, and on which no interest is charged or received by the banks making such deposits; which several amounts shall truly represent the condition of the means, property and of the assets of the bank described in this section, as shall have existed on the day next preceding the second Monday in April, and shall be added together, and the gross sum so produced shall be deemed the amount of property employed in banking for the then current year by such bank.

Sec. 2. The assessor shall return to the

county auditor the statement described in the foregoing section, made by any bank in his township, or ware, and the amount so returned shall be placed on the county duplicate, and on the city duplicate where city taxes are col-lected on a separate duplicate, and taxed as oth-or personal property in the same township, town village or ward, may be taxed by law.

Sec. 3. Every corporation, company, indi-vidual person or association of persons, wheth-er authorized by law to issue notes for circula-tion or not, that shall keep an office, counting-house, or other place for the transaction of business in this state, and shall discount, buy, sell, exchange, or otherwise deal in or receive in deposit money, bills of exchange, notes, bends, stocks, certificates of public debt, or other evidence of debts, claims or demands, with a view of profit, shall be deemed a bank within the meaning of the preceding sections of this act, and for the purpose of carrying out Sec. 4. It shall be the duty of the president

and cashier of each banking company organized under the act entitled "an act to incorporate the State bank of Ohio, and other banking the State bank of Ohio, and other banking companies;" passed February 24, 1845, on or before the second Monday in May in each year, to make out under oath, and return to the proper assessor of the township, town or ward, where such company is located, a certificate containing a statement of the amount of the capital stock of such company paid in and remaining as capital stock undiminished by losses or otherwise, together with the amount of surplus and contingent fund and undivided profits accrued prior to the first Monday in May, and also the amount loaned or deposited with such bank for a term certain, or which by agreement or understanding between the parties, is not to be withdrawn on demand, excepting amounts which may have ing between the parties, is not to be withdrawn on demand, excepting amounts which may have been deposited with any bank established as a clearing house for the redemption of the notes of banks making such deposit and on which no interest is charged or received by the banks making such deposits; and the amount so returned shall be placed on the county duplicate, and on the city duplicate where city taxes are collected on a separate duplicate, and taxed as other personal property in the same township, town, village, or ward may be taxed by law. In making the certificate aforesaid, any portion of said capital stock, surplus or contingent fund or undivided profits invested in real estate which is subject to taxation under the laws of this state, may be deducted, but the certificate this state, may be deducted, but the certific

shall specify the amount so deducted.

Sec. 5. Each assessor of any township or ward within the limits of which any such bank ward within the limits of which any such bank or banking company may be located, in case any president or cashier of such bank or banking company shall refuse or negle: to make out and deliver to the assessor herein required, after the provisions of this act shall have been accepted by such bank as beinafter provided, shall, as in other cases, assertain the amount of such capital stock, surplus and contingent fund and undivided profits, and shall return the same to the county auditor, or to such officer as the law regulating his duties may require, and the amount thus ascertained, with the addition of of fifty per centum thereof, shall be entered upon the proper duplicate for taxation; provided, that in cases where city taxes are assessed and collected by the city authorities, the taxes upon banks as provided for in this act, shall be assessed and collected the same as city taxes upNO. 42.

on other property for the time being are assessed and collected in such city.

See, 6. It shall be the duty of every assessor in whose jurisdiction there shall be located any such bank or banking company, to leave with some proper officer of such bank or banking company, a notice to make out and deliver within ten days the statement required in the first section of this set.

Sec. 7. Each and every banking cor Sec. 7. Each and every banking company organized under the provisons of the act entitled "an act to incorporate the States Bank of Ohio, and other banking companies," passed Ecbruary 24, 1845, accepting the provisions of the three preceding sections, shall make out and transmit a certificate thereof to the auditor of the county in which such bank or banking company is located, and shall also transmit a certified copy of such acceptance to the auditor of state, who shall file the same in his office.

Sec. 8. This act shall not be construed to repeal the sixtieth section of the act "to incorporate the State Bank of Ohio and other banking companies" aforesaid, but to suspend the opera-

SEC. 9. Sections 60, 61, 62, 63, 64, 65, 66, 67, and 68, of the act entitled an act for the assessment and taxation of property in this state, and for levying taxes thereon according to its true money, passed April 5, 1859, are here

by repealed.
Sec. 10, This act shall take effect on its par ED. A. PARROIT,

Protem. Speaker House of Rrepresentative ROBERT C. KIRK. President of the Senate Passed April 4, 1861.

AN ACT.

supplementary to an act to encourage teachers' institutes, passed February 8, 1847, and the several amendments

SECTION 1. Be it enacted by the Gen-Section 1. Be it enacted by the Genrol Assembly of the State of Ohio, That
where an association of teachers of common
schools, called a teachers' institute, has been
or may be formed by teachers of two or more
contiguous counties, the County Commissioners of eachof said counties, are hereby authorized to appropriate for the use of said association, a sum not exceeding one hundred
dollars in any one year, from any moneys in
the County Treasury not otherwise appropriated.

sted.

SEC. 2. The moneys so appropriated shall, upon the order of the County Auditor, be paid over to the committee or treasurer of said institute; provided that no part of the money shall be ordered by the County Auditor, to be paid over, except upon the petition of at least twenty practical teachers, residents of the county in which such appropriation shall be made, who shall therein declare their intentien to attend the meeting of said association.

SEC. 3. It shall be the duty of the officers of every such teachers' institute, to report at the close to the school examiners of the prop-er county the name of each teacher in attendance, the time of attendance, and the amount paid for the use of the institute, to the State Commissioners of Common Schools within thirty days after every meeting of the insti-tute, an account of the moneys received, from what source, and how expended by them, and such other matter relating to the institute as the commissioner may require.

SEC. 4. This act shall take effect and be in

ROBERT C. KIRK,

Passed April 5, 1861.

No. 51.] AN ACT.

To protect Agricultural Fairs. Section 1. Be it enacted by the Genral Assembly of the State of Ohio. That it shall be unlawful for any person to exhibit or show any natural or artificial curiosity for any price or gain, or shall set up to let or use for profit any swing, revolving awing, flying horses or whirlgigs, within one-fourth of a mile of the fair ground of any agricultural society in this State, while the fair of such ociety is being held therein, unless such per-

society to make such exhibition.

Sec. 2. That if any person shall violate the provisions of this act, he shall, on conviction thereof, be fined in any sum not less than one nor more than one hundred dollars; and all moneys derived from the violations of this act shall be appropriated to the support

son shall first have obtained the written per-mission of the Board of such agricultural

Sec. 3 This act shall take effect from and fter its passage. RICHARD C. PARSONS, Speaker of House of Representatives. ROBERT C. KIRK, President of the Senate.

No. 52.1

Passed April 6, 1861.

To amend section 34 of an act entitled "An act providing for the punishment of crimes," passed March 7, 1835. SECTION 1. Be it enacted by the Gen-

eral Assembly of the State of Ohio, That section 34 of the aforesaid act be so amenled as to read as follows : ed as to read as follows:

Section 34. That if any person or persons shall administer poison to another with the intent ro destroy or take the life of the person or persons to whom the same shall be administered or do him, her or them, an injury,

administered or do him, her or them, an injury, or if any person or persons shall mix poison in water, food, drink or medicine, with the aforesaid intent, the person or persons so offending, their aiders and abettors, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be imprisoned in the penitentiary, and kept at hard labor not more than fifteen nor less than two years.

SEC. 2. Original section 34 of the above recited act to which this is an amendment, is hereby repealed. Provided, that all offenses committed while the section hereby repealed was in force shall be prosecuted and punishwas in force shall be prosecuted and p

pealed.
SEC. 8 This act shall take effect on its pass-RICHARD C. PARSONS.

Speaker of House of Representatives. ROBERT C. KIRK, President of the Senate.

Passed April 8, 1861, AN ACT No. 54.]

To amend the first, second and third sections of an act entitled "An act requiring annual settlements by county officers," passed March 22, 1850.

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That sections one, two and three of the above resections one, two and three of the above resections one, two and three of the above recited act be so amended as to read as follows:

Szorros I. It shall be the duty of the Prosecuting Attorney of each county in this State to report to the County Commissioners, annually, on the first Monday of September, a certified statement of the number of criminal prosecutions pursued to final conviction and sentence, under his official care in the Court of Common Pleas, during (Continued on fourth page.)